

1 REMARKS

2 Status of the Claims

3 Claims 1-5, 7-13, and 15-23 are pending in the application, Claims 6 and 14 having been
4 canceled, and Claims 1, 5, 8, 11-13, 15, 16, 18, and 20-22 having been amended to more clearly define
5 the claimed subject matter. In addition, these amendments generally place the claims in a state similar to
6 that presented prior to the amendments in the Amendment & Request for Reconsideration dated
7 September 22, 2005.

8 Claims Rejected Under 35 U.S.C. § 112

9 The Examiner has rejected Claims 1-23 under 35 USC § 112, second paragraph, as being
10 indefinite for failing to particularly point out and distinctly claim the subject matter which applicants
11 regard as the invention. Specifically, the Examiner asserts that the terms “portion of document text”
12 and “immediately adjacent” in Claims 1, 13, and 22 are relative terms, which render the claims
13 indefinite. The terms “portion of document text” and “immediately adjacent” are not defined by the
14 claim, the specification does not provide a standard for ascertaining the requisite degree, and one of
15 ordinary skill in the art would not be reasonably apprised of the scope of the invention.

16 Applicants have amended Claims 1, 13 and 22 such that these terms are no longer present.
17 Therefore, applicants respectfully request the Examiner to withdraw this rejection.

18 However, applicants have amended Claims 11 and 20 to include these terms as they did
19 originally.

20 Applicants' specification states:

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22 In one embodiment, choice of the live preview text **201** may depend on
23 whether the user has selected any text within the document **114** for live preview.
24 Thus, the document **114** may be scanned to determine whether the user has
25 highlighted a *portion of text*, so as to indicate a desire to live preview the highlighted
26 text. In another embodiment, the live preview text **201** may be considered to be the
27 text positioned **immediately adjacent** to the cursor (even if no highlighting is
28 detected). As demonstrated in FIG. 2, the first line of the section heading **118a** “Sed
29 Diam” is positioned **immediately adjacent** to the cursor **207** and is thus displayed as
30 the live preview text **201**. In any case, if no text within the document **114** can be
identified for live preview, a default text string, such as the word “text” may be used
as the live preview text **201**. Depending on the size of the live preview window **204**,
the live preview text **201** may be constrained to a particular number of characters. In

1 particular, if the cursor 207 is positioned at the start of the first sentence of the body
2 text 120, it may be the case that only the first few words "Ipsum dolor sit" are used for
3 live preview. (See applicants' specification, page 9, lines 7-21.)

4 As indicated by the italic and bolded portions above, there is an example of the terms "portion
5 of text" and "immediately adjacent" that is described in the specification and is presented in
6 FIGURE 2. Notice the location of the cursor near the words "Sed Diam." The cursor is sufficiently
7 close to the words "Sed Diam" (i.e., immediately adjacent) to serve as an identifier for the words
8 (portion of text). Thus, there is clear support in the specification for these terms.

9 Claims Rejected Under 35 U.S.C. § 103(a)

10 The Examiner has rejected claims 1-23 as being unpatentable over Russo Borland ("Running
11 Microsoft Word 97," published by Microsoft Press, Redmond, Washington 1997, hereinafter referred to
12 as "Borland") in view of Parker et al., U.S. Patent No. RE 36,704, filed 11/16/1995, issued 5/16/2000
13 (hereinafter referred to as "Parker"). Applicants respectfully disagree with this rejection for the
14 following reasons.

15 In the interest of reducing the complexity of the issues for the Examiner to consider in this
16 response, the following discussion focuses on independent amended claims 1, 13, and 22. The
17 patentability of each remaining dependent claim is not necessarily separately addressed in detail.
18 However, applicants' decision not to discuss the differences between the cited art and each dependent
19 claim should not be considered as an admission that applicants concur with the Examiner's conclusion
20 that these dependent claims are not patentable over the disclosure in the cited references. Similarly,
21 applicants' decision not to discuss differences between the prior art and every claim element, or every
22 comment made by the Examiner, should not be considered as an admission that applicants concur with
23 the Examiner's interpretation and assertions regarding those claims. Indeed, applicants believe that all
24 of the dependent claims are patentable over the cited references. Moreover, a specific traverse of the
25 rejection of each dependent claim is not required, since dependent claims are patentable for at least the
26 same reasons as the independent claims from which the dependent claims ultimately depend.

27 Patentability of Independent Claim 1

28 Significant differences exist between the cited art and the subject matter of applicants'
29 independent Claim 1 because the cited art does not teach or suggest two recitations in applicants' first
30 step: (1) a format set and (2) a plurality of fonts defining a font theme.

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1 In its entirety, as amended, applicants' first step recites:

2 determining a sample of formats comprising a plurality of formats from a
3 format set, the format set including at least one font set and at least one color set, each
4 font set including a plurality of fonts defining a font theme and each of the formats
5 including a format font name, a format font color, and a format font size.

6 Because of the multiple aspects recited within this claim for applicants' first step reproduced
7 above, it may be helpful to parse applicants' first step into some portions and apply an example from
8 the specification and then discuss why applicants are asserting that the Examiner's references do not
9 teach or suggest applicants' format set and applicants' plurality of fonts defining a font theme.

10 Parsing First Step

11 A first portion recites "a plurality of formats from a *format set*..." Thus, there is a
12 recitation (1) regarding the origin of the plurality of formats, indicating that the formats must be from
13 a *format set*.

14 A second portion recites "...the format set including at least one *font set* and at least one *color*
15 *set*." Applicants amended this portion of the claim to clarify the claim language regarding what a
16 format set includes. As described in the specification, "a format set is defined by a color set and a
17 font set" (see applicants' specification, page 2, line 22). Accordingly, additional aspects recited in
18 applicants' first step are that the format set includes: (2) at least one font set; and, (3) at least one
19 color set.

20 A third portion recites "... each font set including a plurality of fonts defining a font theme..."
21 Accordingly, two aspects of this portion of applicants' claim are that: (4) each font set includes a
22 plurality of fonts; and, (5) the plurality of fonts define a font theme.

23 Example Illustrating Claim Recitations of First Step

24 Applicants' specification, states:

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26 As an example of the fuzzy matching method, in reformatting the
27 document 114 of FIG. 1, a determination may be made as to which of the formats
28 included within the *Curly-Q Ocean* format set most closely matched the original
29 format (*NewZurica*, forty-eight point, orange) of the title 116. Some of the
30 predetermined formats included in the *Curly-Q Ocean* format set are: (*Curlz MT*,
forty-eight point, midnight teal), (*Curlz MT*, twenty-six point, medium green), (*Curlz*
MT, twenty-two point, green), (*Curlz MT*, fourteen point, midnight teal), (*Curlz MT*,

seventeen point, green), (*Tempus Sans ITC*, twelve point, automatic), (*Curlz MT*, eleven point, midnight teal), (*Tempus Sans ITC*, ten point, automatic), (*Tempus Sans ITC*, ten point, medium green), (*Tempus Sans ITC*, ten point, turquoise) and (*Tempus Sans ITC*, nine point, green). It may be seen that none of the above-listed formats from the *Curly-Q Ocean* format set define a font color of orange or a font face of *NewZurica* and only one format defines a font size of forty-eight points. Thus, a weighting ranking based on matching font color, font face and font size may lead to the conclusion that the format (*Curlz MT*, forty-eight point, midnight teal) from the *Curly-Q Ocean* format set most closely matches the original format (*NewZurica*, forty-eight point, orange) of the title 116. Accordingly, the reformatted title 116' shown in FIG. 1B is displayed in a forty-eight point *Curlz MT* font having a color of midnight teal. Further details regarding exemplary embodiments of the fuzzy matching method will be described below. (Emphasis added, applicants specification, page7, line 19-page8, line 5.)

This paragraph gives an example of applicants' claim recitation regarding the plurality of formats in an exemplary *Curly-Q Ocean* format set. As shown by the underlined portion above, there are 11 formats in this format set. Notice, for example, that the first format of "(*Curlz MT*, forty-eight point, midnight teal)" includes applicants' claim recitation of: a format font name "*Curlz-MT*"; a format font color, "midnight teal"; and, a format font size "forty-eight point."

The Examiner should understand that these 11 formats are thus an example of applicants' (1) claim recitation of a "format set." As illustrated in applicants' FIGURE 1A, the format set is called "Curly-Q Ocean," and is shown in preview window 108. This format set includes: at least one font set 104, "Curly-Q" (see applicants' specification, page 6, line 24) as aspect (2); and, at least one color set 106, "Ocean" (see applicants' specification, page 6, line 25) as aspect (3) in the claim recitation. Thus, the font set called "Curly-Q" is a set, i.e., it includes for example, aspect (4) a plurality of fonts, such as "*Curlz MT*, forty-eight point," "*Curlz MT*, fourteen point" and "*Tempus Sans ITC*, ten point." And, as recited in aspect (5) of the first step, these plurality of fonts define a font theme. The specification explains that "[A] font set comprises a number of fonts which tend to work well within a given theme. By way of illustration, a font set labeled 'hefty' may include heavier fonts and other fonts that work well with the heavier fonts. The 'hefty' font set may comprise various sizes of the font *Rockwell Extra Bold* and the font *Lucida Sans*" (see applicants' specification, page 4, lines 19-29). Likewise, the color set called "Ocean" is also a set, i.e., it includes, for example, the colors midnight teal, medium green, green, automatic, and turquoise. It is from this plurality of 11

1 formats (in this example) that a sample of formats is determined corresponding to applicants' claim
2 recitation and, as shown in FIGURE 1A, in text sample 112.

3 Borland Does Not Teach or Suggest All of These Aspects of the Claim Recitation

4 The Examiner has asserted that Borland discloses determining a sample of formats
5 comprising a plurality of formats from a format set, where the format set includes a font set and a
6 color set. The Examiner asserts that Borland discloses the use of format "Styles" in the Figure on
7 page 60, since the Figure illustrates a plurality of format styles and related samples. The Examiner
8 also asserts that each style has font and color settings. The Examiner refers to Figures 2-5 on page 43
9 as showing examples of color and font settings related to styles (Office Action, page 4). In addition,
10 on page 11 of a previous Office Action, dated October 21, 2004, the Examiner asserted that the
11 Figure of Borland at the top of page 62 shows that a "style" has a plurality of formats, such as "Font,"
12 "Paragraph," "Tabs," "Language," "Frame," "Style," and "Highlight." Nevertheless, applicants
13 respectfully disagree that Borland teaches a format set and a plurality of fonts defining a font theme.

14 A window on the left of the figure cited in Borland is entitled "Styles" and shows a list of
15 "Styles," entitled "List Bullet," "List Bullet 5," "List Continue," etc. Further, Figures 2-5 of Borland
16 illustrate how a user can select some text, pull down the Format/Font menu, and select any of a font,
17 font style, size, underline, color, and effects, for example, and apply these features to the text. The
18 Examiner has asserted that the style called "Normal" on page 60 is equivalent either to applicants'
19 claim recitation of a plurality of formats or to applicants' claim recitation of a format set, i.e.,
20 aspect (1) as discussed above. However, Figures 2-5 of Borland do not show that a style called
21 "Normal" corresponds to a **plurality of formats** from a *format set* wherein the format set includes
22 aspect (2), i.e., at least one font set, and aspect (3), i.e., at least one color set. Borland does not teach
23 or suggest any equivalent of a format set that includes at least one font set and at least one color set,
24 as recited in this claim. This listing of styles by Borland is *not* a format set. More importantly, as
25 recited in applicants' claim, each font set must include a plurality of fonts defining a *font theme*.
26 However, neither the Figure on page 60 nor Figures 2-5 of Borland illustrate aspects (4) and (5) of
27 applicants' first step as discussed above, i.e., that there is a plurality of fonts defining a font theme.
28 Accordingly, the rejection of independent Claim 1 under 35 U.S.C. § 103(a) over Borland and
29 further in view of Parker should be withdrawn for the reasons given above.

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1 Because dependent claims are considered to include all of the elements of the independent
2 claims from which the dependent claims ultimately depend and because Borland in view of Parker
3 does not disclose or suggest all of the elements of independent Claim 1, the rejection of dependent
4 Claims 2-12 under 35 U.S.C. § 103(a) over Borland and further in view of Parker should be
5 withdrawn for at least the same reasons as the rejection of Claim 1.

6 Patentability of Independent Claim 13

7 Independent Claim 13 is directed towards a system for reformatting a previously formatted
8 portion of document text. The Examiner has rejected this claim under the same rationale as his
9 rejection of Claims 1 and 3. Functions are included in this claim that are generally similar to the
10 steps of independent Claim 1. Thus, for reasons similar to those presented above in connection with
11 applicants' traverse of the rejection of independent Claim 1, independent Claim 13 also distinguishes
12 over Borland and Parker, because the cited art does not teach or suggest determining a sample of
13 formats. Accordingly, the rejection of independent Claim 13 under 35 U.S.C. § 103(a) over
14 Borland and further in view of Parker should be withdrawn for the reasons given above.

15 Because dependent claims are considered to include all of the elements of the independent
16 claims from which the dependent claims ultimately depend and because Borland in view of Parker
17 does not disclose or suggest all of the elements of independent Claim 13, the rejection of dependent
18 Claims 15-21 under 35 U.S.C. § 103(a) over Borland and further in view of Parker should be
19 withdrawn for at least the same reasons as the rejection of Claim 13.

20 Patentability of Independent Claim 22

21 Independent Claim 22 is directed towards a user interface for reformatting a previously
22 formatted portion of document text. The Examiner has rejected this claim under the same rationale as
23 his rejection of Claims 1 and 3. Functions are included in this claim that are generally similar to the
24 steps of independent Claim 1. Thus, for reasons similar to those presented above in connection with
25 applicants' traverse of the rejection of independent Claim 1, independent Claim 22 also distinguishes
26 over Borland and Parker, because the cited art does not teach or suggest determining a sample of
27 formats. Accordingly, the rejection of independent Claim 22 under 35 U.S.C. § 103(a) over
28 Borland and further in view of Parker should be withdrawn for the reasons given above.

29 Because dependent claims are considered to include all of the elements of the independent
30 claims from which the dependent claims ultimately depend and because Borland in view of Parker

1 does not disclose or suggest all of the elements of independent Claim 22, the rejection of dependent
2 Claim 23 under 35 U.S.C. § 103(a) over Borland and further in view of Parker should be withdrawn
3 for at least the same reasons as the rejection of Claim 22.

4 In view of the amendments and Remarks set forth above, it will be apparent that the claims in
5 this application define a novel and non-obvious invention, and that the application is in condition for
6 allowance and should be passed to issue without further delay. Should any further questions remain,
7 the Examiner is invited to telephone applicants' attorney at the number listed below.

8 Respectfully submitted,

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13 SKM/RMA:elm:klp

14 MAILING CERTIFICATE

15 I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed
16 envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents,
17 Alexandria, VA 22313-1450, on February 28, 2006.

18 Date: February 28, 2006

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